

Summons in a Civil Action (Rev 11/97)

**United States District Court**  
**SOUTHERN DISTRICT OF CALIFORNIA**

**FILED**

**JUN 16 2008**

**Rosario R. Tina, &  
Jesus G. Tina, Pro se**

**VS**

**DOWNEY SAVINGS AND LOAN  
ASSOCIATION, F.A.  
and DSL SERVICE COMPANY**

**CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY CV DEPUTY**

**SUMMONS IN A CIVIL ACTION**  
**Case No. 08 CV 1004 BTM POR**

**TO: (Name and Address of Defendant)**

**DSL / FCI / NATIONAL LENDER SERVICES**  
**8180 E. KAISER BLVD**  
**ANAHEIM HILLS, CA 92808**

**YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and  
serve upon PLAINTIFF'S ATTORNEY**

**Rosario R. Tina, Plaintiff**  
**865 Euclid Avenue**  
**San Diego, CA 92114**  
**Phone 619-813-7844**

**An answer to the complaint which is herewith served upon you, within 20 days after  
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment  
by default will be taken against you for the relief demanded in the complaint.**

**JUN 05 2008**

**W. Samuel Hamrick, Jr.**

**CLERK**

**DATE**

**By**

**, Deputy Clerk**

**Summons in a Civil Action**

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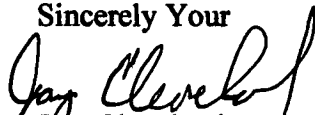
RETURN OF SERVICE			
Service of the Summons and Complaint was made by me		DATE <u>June 6, 2008</u>	
NAME OF SERVER <u>Jay Cleveland</u>		TITLE <u>TRANSMITTER</u>	
Check one box below to indicate appropriate method of service			
<input checked="" type="checkbox"/>	Served personally upon the defendant. Place where served: <u>8180 East Kaiser Blvd Anaheim Hills CA 92808</u>		
<input type="checkbox"/>	Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:		
Name of person with whom the summons and complaint were left: <u>Pati Chelina</u>			
<input type="checkbox"/>	Return unexecuted: <u>ON June 6 2008 At 09:55 A.M.</u>		
<input checked="" type="checkbox"/>	Other (specify): <u>I Jay Cleveland hereby Certified that I Service DSL/FCI National Lender Service Summons, Temporary Restraining Order and 13 June Jay Cleveland</u>		
STATEMENT OF SERVICE FEES			
TRAVEL	SERVICES	TOTAL \$0.00	
<p style="text-align: center;"><b>DECLARATION OF SERVER</b></p> <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.</p> <p>Executed on: <u>June 6, 2008</u>      Date      <u>Jay Cleveland</u>      Signature of Server</p> <p style="text-align: center;"><u>908 Broadview Knoll Ct N.C. 91950</u>      Address of Server</p>			
<p style="text-align: center;"><b>NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE</b></p> <p>IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u></p> <p>YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.</p> <p>JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.</p>			

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Monday, June 16, 2008

On June 6, 2008 , I Jay Cleveland hereby certified that I hand carry and serve to Downey Saving and Loans, DSL/FCI National Loan Servicing Company summons of Complaint and Ex-Parte Temporary Restraining Order on behalf of Rosarito & Jesus Tina

Sincerely Your

  
Jay Cleveland